
Ways & Means Committee

HB 3210

Brief Description: Delaying implementation dates for long-term care worker training and certification.

Sponsors: Representatives Walsh and Armstrong.

Brief Summary of Bill

- Delays the implementation dates for long-term care worker mandatory basic training, increased continuing education, and home care aide certification requirements.

Hearing Date: 3/8/10

Staff: Carma Matti-Jackson (786-7140).

Background:

Long-term care workers provide care to elderly and disabled clients, many of whom are eligible for publicly funded services through the Department of Social and Health Services' (DSHS) Aging and Adult Services and Developmental Disabilities programs. These workers provide their clients personal care assistance with various tasks such as bathing, eating, toileting, dressing, ambulating, meal preparation, and household chores. The services may be provided in the client's home by individual providers who contract directly with the DSHS or by agency providers who are employees of a licensed home care agency. This paid provider may be a relative or a household member, although the client's spouse may not be a paid provider under most programs.

The term "long-term care worker" does not include persons employed in nursing homes, hospitals, hospice agencies, or adult day care or health day care centers.

Mandatory training and home care aide certification requirements were established by Initiative 1029 in November 2008. This law, as amended in 2009, requires the following:

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- Seventy five hours of basic training within 120 days of hire for long-term care workers hired on or after January 1, 2011. Individual providers must be compensated for training time. Exceptions from the training requirements include:
 - parents who are the individual provider for only their developmentally disabled child who must have 12 hours of relevant training within 120 days of becoming an individual provider; and
 - individual providers caring only for their child or parent and, until 2014, certain respite providers, who must have 35 hours of training within 120 days of becoming an individual provider;
- Home care aide certification for all long-term care workers hired on or after January 1, 2011; and
- Increased continuing education requirements for long-term care workers beginning July 1, 2011. Exemptions from continuing education requirements are provided for individual providers caring only for their child and, until 2014, certain respite providers. Individual providers must be compensated for training time.

The law as amended also includes mandatory Federal Bureau of Investigation fingerprint-based checks beginning January 1, 2012; advanced training opportunities beginning January 1, 2012; and a peer mentorship program beginning July 1, 2011.

As of January 1, 2010, for individual providers represented by an exclusive bargaining representative, all required training and peer mentoring is provided by a training partnership. As of July 1, 2009, contributions to the training partnership are made pursuant to a collective bargaining agreement negotiated with the Governor.

Summary of Bill:

Some of the training requirements for long-term care workers are delayed as follows:

- The new basic training requirements will begin July 1, 2011, instead of January 1, 2011.
- Increased continuing education will begin January 1, 2012, instead of July 1, 2011.
- Home care aide certification applies to long-term care workers hired on or after July 1, 2011, instead of January 1, 2011.

Appropriation: None.

Fiscal Note: Requested on March 6, 2010.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.